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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,827	01/18/2002	Jack H. Chang	CCI-005	9620

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EXAMINER	
VU, THONG H	

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/053,827	CHANG ET AL.	
	Examiner	Art Unit	
	Thong H. Vu	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *8-10,39-41 and 62-71* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8-10,39-41 and 62-71* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Amended claims 8-10,39-41 and 62-71 are pending.

Response to Arguments

2. Applicant's arguments filed 6/24/05 with respect to claims 8-10,39-41,62-71 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 8-10,39-41,62-71 are rejected under 35 U.S.C. § 103 as being unpatentable over Robins [5,621,727] in view of Bohm et al [5,852,818].

As per claim 39, Robins discloses A system for maintaining a messaging network having at least one messaging platform [Robins, network message, col 7 lines 30-44], the system comprising:

a master platform having a master global routing table [Robins, master CPU, col 21 lines 30-35; global data structure, col 27 lines 40-col 28 line 10; col 30 lines 5-41; routing tables, col 13 lines 53-60] which holds a messaging platform entry for each messaging platform on the messaging network, each messaging platform entry in said master global routing table having a host ID, an operational status, and a token (pool)

[Robins, device ID, col 21 line 48-col 22 line 30; Node ID col 24 lines 34-39; the event tokens, col 10 lines 42-50];

a global routing table for each messaging platform, wherein said global routing table holds a messaging platform entry for each messaging platform on the messaging network [Robins, global data structure, col 27 lines 40-col 28 line 10; col 30 lines 5-41; routing tables, col 13 lines 53-60], each messaging platform entry having a host ID, an area of operation (i.e.: domain) , an operational status, and a token (pool) [Robins, device ID, col 21 line 48-col 22 line 30; Node ID col 24 lines 34-39; monitor domain, col 24 lines 50-55; the event tokens, col 10 lines 42-50];

wherein said master platform is configured to respond to each messaging platform on the messaging network that sends a response message to said master platform [Robins, master CPU, col 21 lines 30-35], said response message sent by each messaging platform at a selected interval [Robins, periodically, every 30 seconds, col 38 lines 5-15] which is defined in the messaging platform entry corresponding to each messaging platform [Robins, input message, col 14 lines 48-55];

query message to a messaging platform on the messaging network that fails to send a response message to the master platform within said selected interval [Robins, query message fail to response, col 34 lines 60-65; time period, col 26 lines 25-35];

wherein said master platform is further configured to update said operational status of said messaging platform entry to a disabled status [Robins, update the valid state, up/down state, col 32 lines 25-40;col 33 lines 1-5], said messaging platform entry corresponding to said messaging platform in said master global routing table and said

global routing table of each messaging platform on the messaging network, if said messaging platform fails to respond to said query message [Robins, monitoring network, col 5 lines 20-53]; and

wherein a messaging platform on the network is continued to check said operational status of a remote messaging platform to determine whether said messaging platform may send a user message using the messaging network [Robins, monitor domain while the application was inactive, col 24 lines 16-25; or idle, col 24 lines 50-55].

However Robins does not explicitly detail the event tokens as a token pool;

It was well-known in the messaging system art that the status message included a token pool as taught by Bohm [Bohm, status messages and a token pool, col 14 lines 18-22; col 19 lines 3-12];

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the technique of using a token pool as a portion of the network message information as taught by Bohm into the Robins's apparatus in order to utilize the status message. Doing so would provide a security and reliable to control the messaging distribution over a global network.

4. As per claim 40, Robins-Bohm disclose wherein said master platform provides said token pool of each messaging platform with an initial amount of tokens [Bohm, status messages and a token pool, col 14 lines 18-22; col 19 lines 3-12]; said master platform debits a debit amount from a token pool of an originating messaging platform

that requests delivery of a user message at an area of operation supported by a remote messaging platform [Robins, remote node, col 12 line 60]; and said master platform increments a credit amount to a token pool of said remote messaging platform in response to the delivery of said user message within said area of operation by said remote messaging platform [Robins, incremented, col 36 lines 27-37; col 38 lines 1-15].

5. As per claim 41, Robins-Bohm disclose wherein said master platform updates a messaging platform profile of a messaging platform to have a disabled operation status [Robins, update the valid state, up/down state, col 32 lines 25-40;col 33 lines 1-5] in response to said messaging platform having a token pool amount that falls below a selected threshold [Bohm, status messages and a token pool, col 14 lines 18-22; col 19 lines 3-12].

6. As per claim 63, Robins-Bohm disclose the predetermined interval is defined in the messaging device data entry corresponding to each of the plurality of messaging devices [Robins, input message, col 14 lines 48-55; time period, col 26 lines 25-35].

7. As per claim 64, Robins-Bohm disclose a first messaging device on the network is configured to check the operational status of a second messaging device to determine whether the first messaging device may send a user message using the messaging network to the second messaging device [Robins, update the valid state, up/down state, col 32 lines 25-40;col 33 lines 1-5].

8. As per claim 65, Robins-Bohm disclose an operational area data entry for each of the plurality of messaging devices in the master global routing data structure [Robins, monitoring domain, col 24 lines 50-55; global data structure, col 27 lines 40].

9. As per claim 66, Robins-Bohm disclose a first messaging device on the network is configured to check the operational area of a second messaging device to determine whether the first messaging device may send a user message using the messaging network to the second messaging device for to delivery to an area of operation supported by the second messaging device.

10. As per claim 67, Robins-Bohm disclose a global routing data structure associated with each of the plurality of messaging devices, the global routing data structure having a messaging device data entry for each of the plurality of messaging devices on the messaging network, each messaging device data entry comprising a host ID, and an operational status [Robins, device ID, col 21 line 48-col 22 line 30; Node ID col 24 lines 34-39; global data structure, col 27 lines 40; real time status, col 31 lines 29-35]

11. As per claim 68, Robins-Bohm disclose the master device is further configured to update the operational status of messaging device data entries of the global routing data structure associated with each of the plurality of messaging devices [Robins, update the valid state, up/down state, col 32 lines 25-40;col 33 lines 1-5].

12. As per claim 69, Robins-Bohm disclose the master device alters the operational status of a messaging device data entry for a predetermined one of the plurality of messaging devices in the global routing data structure associated with each of the plurality of messaging devices to a disabled status if the predetermined messaging device fails to respond to the second message type [Robins, update the valid state, up/down state, col 32 lines 25-40;col 33 lines 1-5; global data structure, col 27 lines 40].

13. As per claim 70, Vaudreuil-Bohm disclose each of the plurality of messaging devices has an initial amount of tokens in a token pool associated with the respective messaging device [Bohm, status messages and a token pool, col 14 lines 18-22; col 19 lines 3-12], the master device being further configured to debit a debit amount of tokens from the token pool of a first messaging device that requests delivery of a user message at an area of operation supported by a second messaging device and to add a credit amount of tokens to the token pool of the second messaging device in response to the delivery of the user message within the area of operation by the second messaging device [Robins, add a new node, anew data structure, col 32 lines 49 et seq.].

14. As per claim 71, Robins-Bohm disclose the master device updates a messaging device profile of a predetermined one of the plurality of messaging devices [Robins, update the valid state, up/down state, col 32 lines 25-40;col 33 lines 1-5].

15. Claims 8-10 contain the similar limitations set forth in the apparatus claims 39-41.

Therefore claims 8-10 are rejected for the same rationale set forth in claims 39-41.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142